

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

VANTAGE FINANCIAL SERVICES, INC.
Plaintiff,

v.

NONPROFIT SERVICE GROUP AND
GEORGE E. MILLER,
Defendants.

C.A. No. 04-11686-WGY

MOTION TO EXTEND DATE FOR SERVING EXPERT REPORTS

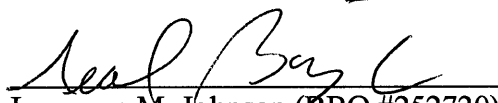
The plaintiff, Vantage Financial Services, Inc. ("Vantage"), hereby moves pursuant to Local Rule 7.1 to extend Vantage's deadline for serving expert reports in this matter to November 14, 2005. In support of this motion, Vantage states as follows:

1. The Final Pretrial Conference in this case has been set for November 14, 2005 and the trial for a date no sooner than November 21, 2005.
2. Vantage has retained an expert to testify on its behalf at trial. However, Vantage's expert will not be able to prepare an expert report in time to comply with the Scheduling Order deadline.
3. The reason for the delay is that Vantage's counsel, Laurence M. Johnson, has been dealing a personal family tragedy over the last two weeks and has not been able to spend the time with Vantage's expert necessary for the expert to finalize the report. Specifically, Mr. Johnson's daughter suffered severe injuries when she was struck by a taxicab in New York City two weeks ago. He has been assisting in his daughter's care both during visits to New York and from here in Boston on a daily basis.
4. Although Defendants have already served their expert reports, they will not be prejudiced by the allowance of this motion. Due to Mr. Johnson's family obligations, he has not

reviewed Defendants' report and neither he nor Vantage's expert will do so in advance of service of Vantage's expert report.

WHEREFORE, Vantage respectfully requests that the Court extend the deadline for it to serve an expert report to November 14, 2005.

VANTAGE FINANCIAL SERVICES, INC.,
By its Attorneys,

A handwritten signature in black ink, appearing to read "Neal Bingham", is written over a horizontal line.

Laurence M. Johnson (BBO #252720)
Neal J. Bingham (BBO #652029)
Davis, Malm & D'Agostine
One Boston Place
Boston, MA 02108
(617) 367-2500

Dated: November 1, 2005

RULE 37.1 CERTIFICATION

The undersigned counsel hereby certifies that the parties conferred on November 1, October 30, 2005 in an effort to narrow the areas of disagreement that are the subject of this motion and were unable to come to an agreement.